

## **Appendix B** Resources Evaluated Relative to Section 4(f) Requirements

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Section 4(f) of the Department of Transportation Act of 1966, codified in Federal law at 49 USC §303, declares that “it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl, and historic sites.”

Section 4(f) specifies that “[t]he Secretary [of Transportation] may approve a transportation program or project...requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if—

- (1) there is no prudent and feasible alternative to using that land; and
- (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.”

Section 4(f) further requires consultation with the Department of the Interior and, as appropriate, the involved offices of the Departments of Agriculture and Housing and Urban Development in developing transportation projects and programs that use lands protected by Section 4(f).

In general, a section 4(f) “use” occurs with a Department of Transportation-approved project or program when (1) section 4(f) land is permanently incorporated into a transportation facility; (2) when there is a temporary occupancy of section 4(f) land that is adverse in terms of the section 4(f) preservationist purposes as determined by specified criteria (23 CFR §771.135[p][7]); and (3) when section 4(f) land is not

incorporated into the transportation project, but the project's proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under section 4(f) are substantially impaired (constructive use) (23 CFR §§771.135[p][1] and [2]).

The project limits include Kampf Memorial Park that is identified by the Del Norte County General Plan as a County Recreation Area. Uses include day use, picnicking, beach access, beach combing, and surf-fishing. It is identified as a recreational facility pursuant to Section 4(f). The project does not include the park as part of any transportation facility. There will not be any occupancy, temporary or otherwise of the park. All activities, attributes, and features will remain intact as no work is scheduled within the park grounds.

The construction on the mainline will be done in a manner that will facilitate continued access to the park through use of a traffic management plan. Noise and dust abatement pursuant to Caltrans' Standard Specifications will be implemented to address any temporary construction impacts.

If night and weekend work is required during construction, it will be coordinated with the County's Park and Recreation Office to ensure minimal traffic conflicts with this facility.

Incorporation of these measures avoids severe impacts and will not substantially impair site use. Additional coordination with Del Norte County is planned to ensure that the project addresses the needs of Kampf Memorial Park.